

December 28, 2009

**VIA ELECTRONIC FILING**

Magistrate Judge Ramon E. Reyes, Jr.  
United States District Court  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East, Room 263  
Brooklyn, NY 11201

Re: *Web Tracking Solutions, LLC and Daniel Wexler v. Google Inc.*, No. 1:08-cv-03139

Your Honor:

The parties submit this joint request for certain amendments to the schedule in the above-referenced case. These changes will assist in the orderly resolution of the case and avoid unnecessary discovery disputes. This is the second requested amendment to the December 2, 2008 scheduling order; the parties previously requested scheduling amendments in a joint letter submitted April 29, 2009 and June 2, 2009.

The below chart summarizes the parties' requested revisions to the case schedule:

Event	Revised Deadline
Filing of <i>Markman</i> briefs and disclosure and exchange of <i>Markman</i> expert reports, affidavits, or declarations.	February 22, 2010
Completion of initial <i>Markman</i> expert depositions.	March 17, 2010
Filing of responsive <i>Markman</i> briefs and disclosure and exchange of rebuttal <i>Markman</i> expert reports, affidavits, or declarations.	March 29, 2010

Deadline for parties to serve subpoenas upon any third-party witnesses seeking the production of documents and/or deposition.	April 5, 2010
Completion of rebuttal <i>Markman</i> expert depositions.	April 15, 2010
Parties to serve their initial expert reports on issues for which they bear the burden of proof.	30 days after close of fact discovery
Parties to serve responsive expert reports.	30 days after initial expert reports
Expert depositions begin.	To begin 15 days after responsive reports
Filing of all summary judgment and <i>Daubert</i> motions.	60 days after responsive reports

Attached hereto as Exhibit A is a draft order granting these requested changes.

The parties further request that certain hearing dates and related submissions be rescheduled. Subject to the convenience of the Court, the parties propose the following revised dates:

<b>Event</b>	<b>Revised Deadline</b>
Parties to file Joint Disputed Claim Terms Chart	April 16, 2010
<i>Markman</i> Hearing	April 29-30, 2010
Parties to file Joint Status Report	May 14, 2010
Joint status conference	May 21, 2010
Close of fact discovery	60 days after <i>Markman</i> report & recommendation issues
Final pre-trial conference	To be set by the Court

The parties are available to discuss these matters at Your Honor's convenience.

Respectfully submitted,

/s/ Steven M. Hayes

Steven M. Hayes  
HANLY CONROY BIERSTEIN FISHER &  
HAYES  
112 Madison Avenue, 7th Floor  
New York, NY 10016  
(212) 784-6414  
shayes@hanlyconroy.com

*Counsel for Plaintiffs*

/s/ Edward J. DeFranco

Edward J. DeFranco  
QUINN EMANUEL URQUHART OLIVER  
& HEDGES  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
(212) 849-7106  
eddefranco@quinnemanuel.com

*Counsel for Defendant*